

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KYLE CHRISTENSON,

Plaintiff,

v.

HENRY RICHARDS,

Defendant.

Case No. C08-5328RBL

ORDER DIRECTING PLAINTIFF  
TO CURE DEFICIENCIES IN HIS  
COMPLAINT

This matter comes before the court on plaintiff's filing of an application to proceed *in forma pauperis* and the submission of a complaint for service. The Court, having reviewed the record finds the following deficiencies:

1. Plaintiff's complaint is deficient. Plaintiff names one defendant, Henry Richards, on the caption of his complaint, and the complaint fails to identify any others. Accordingly, Plaintiff has failed to describe how any individual defendant was involved in the alleged deprivations.

In order to state a claim under 42 U.S.C. § 1983, a complaint must allege facts showing how individually named defendants caused or personally participated in causing the harm alleged in the complaint. Arnold v. IBM, 637 F.2d 1350, 1355 (9th Cir. 1981). Plaintiff shall also note that a defendant cannot be held liable under 42 U.S.C. § 1983 solely on the basis of supervisory responsibility or position. Monell v. New York City Dept. of Social Services, 436 U.S. 658, 694 n.58 (1978). A theory of *respondeat superior* is not sufficient to state a § 1983 claim. Padway v. Palches, 665 F.2d 965 (9th Cir. 1982).

2. Plaintiff shall seek to cure these deficiencies by filing **an amended complaint by no later than July 15, 2008**. Plaintiff shall also provide sufficient copies of the amended complaint, along with completed

1 Marshal's forms and summonses for each named defendant, otherwise the court will be unable to direct  
2 service in this matter and Plaintiff will therefore be responsible for properly serving defendants in this matter.

3 3. The Clerk is directed to send copies of this Order and the General Order to plaintiff.

4 DATED this 5<sup>th</sup> day of June, 2008.

5  
6 /s/ J. Kelley Arnold  
7 J. Kelley Arnold  
8 United States Magistrate Judge  
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